

PTO/SB/21 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/697,083
		Filing Date	October 31, 2003
		First Named Inventor	Wesley Scott Ashton
		Art Unit	3677
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	<b>ASHTON0009</b>

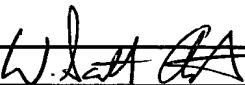
**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**Remarks**

IDS (2 pages), and USPTO forms PTO/SB/08A AND PTO/SB/08B, and copies of Documents P through Z.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Wesley Scott Ashton Registration No. 47,395 GRIFFIN & SZIPL, P.C.
Signature	
Date	August 5, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) Attorney Docket No.: **ASHTON0009**  
Wesley Scott ASHTON )  
Serial No.: 10/697,083 ) Group Art Unit: 3677  
Filed: October 31, 2003 ) Examiner: unknown  
For: TONGUE AND MOUTH STUD FOR ) Date: August 5, 2004  
DISPENSING A SUBSTANCE )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, this Information Disclosure Statement in connection with the above-identified application is being filed in accordance with 37 C.F.R. §1.97(b) before the mailing date of a first Office Action on the merits.

A copy of documents P through Z listed on the attached Forms PTO/SB/08A and PTO/SB/08B are attached. Documents A through Q are U.S. Patents and copies of these documents have not been included pursuant to the United States Patent and Trademark Office (USPTO) notice published in the Official Gazette on August 5, 2003.

Documents A through O were originally cited by the Patent Examiner in the parent case, U.S. Patent Application No. 09/881,806, which is now U.S. Patent No. 6,675,613. Documents P through Z were submitted by the present Applicant to the USPTO in support of arguments he made during the prosecution of U.S. Patent Application No. 09/881,806.

Attorney Dkt. No. ASHTON0009  
Serial No. 10/697,083

Therefore, the relevance of Documents A through Z is believed to be clear from the prosecution history of U.S. Patent Application No. 09/881,806. Accordingly, no further comment with regard to the disclosures of these documents is believed to be required.

It is respectfully requested that the attached documents be considered and officially cited, and that a copy of Forms PTO/SB/08A and PTO/SB/08B, be initialed by the Examiner and returned to the undersigned to indicate that the documents have been considered.

It is believed that the present Information Disclosure Statement complies with the requirements of 37 C.F.R. §§ 1.97-8.

Respectfully submitted,

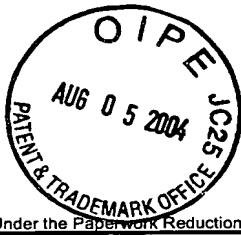


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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

3

**Complete if Known**

Application Number	10/697,083
Filing Date	October 31, 2003
First Named Inventor	Wesley Scott Ashton
Art Unit	3677
Examiner Name	

Attorney Docket Number **ASHTON0009****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
A	US- 363,030		05-17-1887	Wessel	
B	US- 511,952		01-02-1894	Hubash	
C	US- 2,568,207		09-18-1951	Spicher	
D	US- 3,500,829		03-17-1970	Abramowitz	
E	US- 4,056,951		11-08-1977	Black	
F	US- 4,353,370		10-12-1982	Evans	
G	US- 4,781,036		11-01-1988	Erickson	
H	US- 4,785,642		11-22-1988	Chin et al.	
I	US- 4,943,274		07-24-1990	Edwards	
J	US- 5,016,369		05-21-1991	Parry	
K	US- 5,632,163		05-27-1997	Inoue	
L	US- 6,026,659		02-22-2000	Kaping, Jr.	
M	US- 6,167,725 B1		01-02-2001	Siekierski	
N	US- 6,039,049		03-21-2000	Piperato et al.	
O	US- 6,047,209		04-04-2000	Denny et al.	
	US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
				<b>Application Number</b>	10/697,083
				<b>Filing Date</b>	October 31, 2003
				<b>First Named Inventor</b>	Wesley Scott Ashton
				<b>Art Unit</b>	3677
				<b>Examiner Name</b>	
Sheet	2	of	3	Attorney Docket Number	ASHTON0009

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	P	Perkins, C.S. et al.: A complication of tongue piercing. Br. Dent. J. 182: 147-148 (1997).		
	Q	De Moor, RJG et al.: Tongue piercing and associated oral and dental complications. Endol. Dent. Traumatol. 16:232-237 (2000).		
	R	Farah, C.S. et al.: Tongue piercing: Case report and review of current practice. Aust. Dent. J. 43:387-389 (1998).		
	S	Cobb, D.S. et al.: Adhesive Composite Inlays for the Restoration of Cracked Posterior Teeth Associated with a Tongue Bar. Pract. Periodont. Aesthet. Dent. 10:453-460 (1998)		
	T	Botchway, C. et al.: Tongue piercing and associated tooth fracture. J. Can. Dent. Assoc. 64:803-805 (1998).		
	U	Reichl, R.B. et al.: Intraoral body-piercing: a case report. Gen. Dent. 44:346-347 (1996).		
	V	Chen, M. et al.: Tongue piercing: a new fad in body art. Br. Dent. J. 172(3):87 (1992).		
	W	Hardwood-Nuss, A.L.: The Clinical Practice of Emergency Medicine, 3rd ed. Lippincott William & Wilkins, Philadelphia, 2001, pp. 477-478.		
Y	X	Gorbach, S.L. et al.(eds): Infections Diseases, 2nd ed., W.B. Saunders Co., Philadelphia, 1998, pp. 510-511, 1261-1262 and 1266.		
	Y	Champion, R.H. et al.(eds): Textbook of Dermatology, Vol. IV, Rev. ed., Blackwell Science, Inc., Malden, MA, 1998, pp. 3019-3020.		

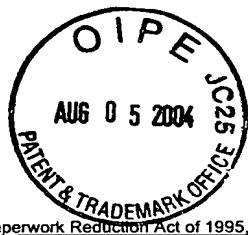
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Application Number</b>	10/697,083
				<b>Filing Date</b>	October 31, 2003
				<b>First Named Inventor</b>	Wesley Scott Ashton
				<b>Art Unit</b>	3677
				<b>Examiner Name</b>	
Sheet	3	of	3	Attorney Docket Number	ASHTON0009

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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